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FM AMEMBASSY RANGOON

TO RUEHC/SECSTATE WASHDC PRIORITY 8235

INFO RUCNASE/ASEAN MEMBER COLLECTIVE

RUEHGG/UN SECURITY COUNCIL COLLECTIVE

RUEHBY/AMEMBASSY CANBERRA 1559

RUEHNE/AMEMBASSY NEW DELHI 5043

RUEHUL/AMEMBASSY SEOUL 8641

RUEHKO/AMEMBASSY TOKYO 6210

RHHMUNA/CDR USPACOM HONOLULU HI

RUEHGV/USMISSION GENEVA 4063

RHEHNSC/NSC WASHDC

RUCNDT/USMISSION USUN NEW YORK 2028

RUEKJCS/SECDEF WASHDC

RUEHBS/USEU BRUSSELS

RUEKJCS/Joint STAFF WASHDC

C O N F I D E N T I A L SECTION 01 OF 03 RANGOON 000775

SIPDIS

STATE FOR EAP, IOL; AND PACOM FOR FPA

E.O. 12958: DECL: 09/29/2018

TAGS: PGOV PREL PHUM BM

SUBJECT: BURMA - DEFIANCE AND TENSIONS MARK NLD'S 20TH ANNIVERSARY

REF: RANGOON 744

Classified By: Pol Officer Sean O'Neill for Reasons 1.4 (b) & (d)

SUMMARY

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¶1. (C) Despite a recent warning from authorities to refrain from criticizing the regime, the NLD celebrated its 20th anniversary by publicly castigating the constitution and making clear the party's political agenda remains based on the 1990 parliamentary elections. All eyes at the September 27 ceremony were on recently released political prisoner Win Tin, who delivered an impassioned call to release all political prisoners and engage in genuine dialogue. Despite the NLD's outspoken position on the constitution and 1990 parliament, leaders did not refer to the 2010 parliamentary elections or comment on participation. While many in the pro-democracy movement admire the Uncles' perseverance, a number of activists suggest to us that the NLD should adopt a more pragmatic approach regarding steps toward political reform that includes a clear position on the 2010 elections.

End Summary.

THE NLD'S 9/22 STATEMENT

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¶2. (C) After telling Charge the NLD would propose an alternative to the regime's "roadmap to democracy" that would save face on all sides (reftel), on September 22 the NLD's Central Executive Committee ("CEC" aka the "Uncles") released a statement highly critical of the regime's national convention and constitution, which it asserts the majority of Burmese do not accept. In order to ensure the "emergence of a constitution acceptable to the majority of the people" the NLD proposes that the government convene the 1990 parliament and form a "Constitution Review Committee" consisting of "political parties that won in the 1990 election, members of People's Parliament (sic), delegates from the military, representatives of "ethnic nationalities, representatives from peace groups, and legal experts on constitutional laws." The paper does not discuss how this newly proposed committee would conduct its work other than recommending it "complete its review process within six months." The statement does not mention the upcoming elections in 2010 or discuss whether the NLD thinks the general public should participate. NLD

officials privately told us in the past that the party will likely boycott the elections, but would not formally announce a position at least until after electoral laws, including the political party registration law, are issued (reftel).

#### THE REGIME'S REACTION

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¶3. (C) On September 25, Burma's Director General of Police, Brigadier General Khin Yi, summoned six members of the CEC, including party chairman Aung Shwe, to "warn" them against making statements critical of the regime's roadmap. That same day, the regime's mouthpiece New Light of Myanmar newspaper described the NLD's statement as having used "words that could harm the national security, stability, and tranquility of the State; that discredited and undermined the friendship and cooperation between the government and the governments of other countries and NGOs including the United Nations; and that were tantamount to insulting the people who had freely voted in the referendum." Legal observers commented that the specific language used in the article appears to reference statutes prohibiting speech that threatens the regime's "roadmap to democracy" as well as speech that is deemed slanderous to foreign countries with whom Burma is not at war. In other words, the regime is potentially preparing a legal case that that the NLD statement violates domestic laws.

#### THE NLD'S 9/27 ANNIVERSARY

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¶4. (C) Despite this warning, on Saturday September 27, the NLD held a ceremony marking the party's 20th anniversary and once again publicly criticized the regime's "roadmap." A party official read a new statement questioning the fairness of the May constitutional referendum and the legitimacy of the constitution itself. All eyes were on recently released political prisoner Win Tin - still wearing his prison uniform - who was welcomed back into the party's Central Executive Committee along with Khin Maung Swe, who was also released in the amnesty. Win Tin delivered an impromptu speech calling for the release of all political prisoners, genuine dialogue, and unity among opposition forces.

¶5. (C) The Charge attended the anniversary as did the Australian, French, German and UK Ambassadors, as well as the Italian Charge. However, many others - including China, India, the ASEAN nations, and UN representatives - stayed away from the event, as they have other NLD ceremonies. Security was tight, with truckloads of riot police visible on Rangoon streets. At NLD headquarters, plainclothes security agents were busy taking photos and noting license plates. NLD spokesman Nyan Win told us nine NLD members were arrested in Rangoon as they made their way toward the ceremony, but all were released the same day.

#### THE LOYAL OPPOSITION

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¶6. (C) Several opposition contacts believe the NLD's insistence on convening the 1990 parliament is unrealistic. 88 Generation Students leader Toe Kyaw Hlaing told us recently he believes the NLD's focus on an 18-year-old election distracts from the challenges at hand. He believes the Uncles ought to modify their position and consider participating in, or at least taking a strong public stand on, the 2010 elections. Several NLD youth members have similarly told us they hope the party's leadership would shift their focus away from the 1990 elections and adopt a more future-looking agenda.

#### THE FUTURE OF NLD YOUTH

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¶ 7. (C) In a recent meeting with the Embassy, NLD Spokesman Nyan Win privately conveyed some of the background on the long-standing tensions between the Central Executive Committee (aka the "Uncles") and the NLD's "youth" movement. Nyan Win explained that younger members of the party have grown dissatisfied with the style and substance of the Uncle's leadership, and have pressed for a more active, forward-looking agenda. Most recently they pushed the Uncles to take a stand on the May referendum and the upcoming 2010 parliamentary elections. The Uncles, on the other hand, remain committed to the implementation of the 1990 elections, and the preservation of the NLD's status as a legal political party.

¶ 8. (C) According to Nyan Win, as a result of these tensions, party chairman Aung Shwe recently decided to try to expel several younger NLD members. He called a meeting the week of September 7 and claimed approval from Aung San Suu Kyi (ASSK) to create a Central Youth Committee. Aung Shwe allegedly claimed the purpose of the committee would be to direct and control the activities of the NLD youth, although Nyan Win confided the true intent is to expel younger members with whom Aung Shwe disagrees. Nyan Win reported that Aung Shwe claimed ASSK provided him with the names of six "youths over the age of 50 with experience managing young people" to run the committee. However, when pressed by those in attendance, Aung Shwe did not reveal how ASSK had communicated her wishes to him. Nyan Win noted that, as a result, tensions between the Uncles and younger party members have grown. He commented that the expulsion or resignation of NLD youth would "doom the party to failure."

¶ 9. (C) On the other hand, Aye Tun, an active NLD youth member with close ties to Aung Shwe, reported that the party

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chairman's goal is in fact to revitalize the NLD youth by making them a more active and influential part of the party. Aye Tun told us that Aung Shwe has already removed three NLD youth members who were over 50 years old and replaced them with younger members. While Aye Tun acknowledged that some of these new leaders are still over 40 years of age, he claimed that Aung Shwe's ultimate goal is eventually to have the NLD youth led exclusively by those under the age of 35 and aggressively to recruit new members in all 14 states and divisions.

#### ADDRESSING FACTIONAL DIFFERENCES

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¶ 10. (C) Several embassy contacts, including Toe Kyaw Hlaing, an 88 Generation Students leader, believe that the release of Win Tin could exacerbate existing tensions between the left-leaning intellectual wing of the party (Win Tin's side) and the rigid, former military wing (Party Chair Aung Shwe's side). Toe Kyaw Hlaing noted that Win Tin is often regarded as a bridge between the NLD's younger members and the old guard, so it will be instructive to observe how Win Tin's reintroduction to the NLD will influence the balance of power within the party. (Note: Since his release, Win Tin has publicly acknowledged that some have criticized the NLD CEC for a lack of activism. He told the exile media that it is important for the party be open to criticism and for the pro-democracy opposition work together to address any flaws).

#### COMMENT

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¶ 11. (C) For the past 20 years, the NLD has steadfastly insisted that the regime honor the results of the 1990 elections, even when warned to back off. While many of our contacts in the opposition, including among NLD youth, admire the NLD leadership's willingness to challenge the regime's roadmap and its refusal to honor the 1990 election results, many also suggest opposition leaders need to focus on the future and develop some pragmatic way to influence events,

including the 2010 election process. The regime's release of Win Tin could prove significant in that debate.

DINGER